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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,154	11/12/2003	Erol. Bozak	13913-145001 / 2003P00470	8247

22852 7590 03/14/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP	KISS, ERIC B	
901 NEW YORK AVENUE, NW	ART UNIT	PAPER NUMBER
WASHINGTON, DC 20001-4413	2192	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

		Application No.	Applicant(s)
Office Action Summary		10/712,154	BOZAK ET AL.
		Examiner	Art Unit	
		Eric B. Kiss	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 November 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :20040311, 20040407, 20040423, 20050607.

DETAILED ACTION

1.   Claims 1-7 have been examined.

Information Disclosure Statement

2.   The information disclosure statements filed March 11, 2004, April 7, 2004, April 23,

2004, and June 7, 2005, fail to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP

§ 609 because each publication listed in an information disclosure statement must be identified

by publisher, author (if any), title, relevant pages of the publication, date, and place of

publication. 37 CFR 1.98(b)(5). They have been placed in the application file, but the

information referred to therein has not been considered as to the merits, except as initialed by the

examiner. Applicant is advised that the date of any re-submission of any item of information

contained in this information disclosure statement or the submission of any missing element(s)

will be the date of submission for purposes of determining compliance with the requirements

based on the time of filing the statement, including all certification requirements for statements

under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. App.

Pub. No. 2002/0019844 (Kurowski et al.).

As per claim 1, *Kurowski et al.* discloses:

requesting a computer in a network to install a first application and execute the first

application (see, e.g., paragraph [0061] (client receives a task from the task server));

transferring one or more files to the computer (see, e.g., paragraph [0092] (application

modules are downloaded));

making modifications to the computer to install and execute the first application on the

computer (see, e.g., paragraph [0156]) while recording the modifications (see, e.g., paragraph

[0259] (settings and state are stored in files)), the modifications comprising allocating a resource

to the first application (see, e.g., paragraph [0156] (a part of the memory is allocated to the

application));

halting the first application on the computer (see, e.g., paragraph [0147]);

reversing a portion of the modifications to the computer according to the recorded

modifications, reversing comprises deallocating the resource from the first application (see, e.g.,

paragraph [0157]); and

making modifications to the computer to install and execute a second application on the

available computer while recording the modifications, the modifications comprise allocating the

resource to the second application (see, e.g., paragraph [0158]).

As per claim 2, *Kurowski et al.* further discloses the modifications comprising setting a

communications port or saving the one or more files to a data storage device accessible to the

computer (see, e.g., paragraph [0156] (saving the files making up the application to the local

hard disk of the client computer)).

As per claim 3, *Kurowski et al.* further discloses the first application having a type and if

at least one other application running on the computer has a type that is identical to the second

application's type, the portion does not comprise modifications required to install and execute

applications having the type (see, e.g., paragraphs [0154] and [0158] (a locally cached version of

the computation module is used if available)).

As per claim 4, *Kurowski et al.* discloses a network comprising:

a first computer configured to execute a first application manager that manages a first

application (see, e.g., paragraph [0061] (client receives a task from the task server)); and

a second computer configured to execute a service (see, e.g., paragraph [0061] (client

receives a task from the task server); paragraph [0092] (application modules are downloaded)),

wherein the service, upon request from the first application manager, installs and executes a first

application by making modifications to the second computer to install and execute the first

application on the second computer (see, e.g., paragraph [0156]) while recording the

modifications (see, e.g., paragraph [0259] (settings and state are stored in files)), the

modifications comprise allocating a resource to the first application manager (see, e.g., paragraph

[0156] (a part of the memory is allocated to the application)).

As per claim 5, *Kurowski et al.* further discloses the service, upon request from the first

application manager, being configured to execute the following:

halts the first application on the second computer (see, e.g., paragraph [0147]);

reverses a portion of the modifications to the second computer according to the recorded

modifications, reversing comprises deallocating the resource from the first application manager

(see, e.g., paragraph [0157]); and

makes modifications to the second computer to install and execute a second application

on the second computer while recording the modifications, the modifications comprise allocating

the resource to a second application manager (see, e.g., paragraph [0158]).

As per claim 6, *Kurowski et al.* further discloses the modifications comprising setting a

communications port or saving the one or more files to a data storage device accessible to the

second computer (see, e.g., paragraph [0156] (saving the files making up the application to the

local hard disk of the client computer)).

As per claim 7, *Kurowski et al.* further discloses the first application having a type and if

at least one other application running on the second computer has a type that is identical to the

second application's type, the portion does not comprise modifications required to install and

execute applications having the type (see, e.g., paragraphs [0154] and [0158] (a locally cached

version of the computation module is used if available)).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

6.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The

Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be

reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist:

571-272-2100.

Eric B. Kiss
March 8, 2007